



San Diego City Attorney **MICHAEL J. AGUIRRE**

NEWS RELEASE

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IMPROPER RELEASE OF AGUIRRE'S SEALED DIVORCE DOCUMENTS GIVEN TO UNION-TRIBUNE FOR REDACTION *Judge Rescinds Order Today*

San Diego, CA: Without proper notice and without the opportunity for representation in court, divorce settlement documents of City Attorney Michael Aguirre and his ex-wife Kathy Jones-Raya, which have been sealed since 1991, were provided to the San Diego Union-Tribune's (U-T) outside counsel. Further investigation into the matter revealed that the U-T's attorney Guylyn Cummins received the documents from the Court and was given the task of redacting personal information before they were made public.

"Most disturbing was the improper act of taking the documents before they were redacted by the court," said Attorney Michael Aguirre. "If it can happen to me, it can happen to anyone. This backroom collaboration spotlights the U-T's disregard for the law in a desperate attempt to discredit anyone who disagrees with their journalistic viewpoint."

The notice of the rushed hearing to unseal the records was sent by mail by Cummins to the City Attorney's Office on Friday, June 30, 2006. It was received by the City Attorney's office on Monday, July 3, but, due to the July 4 holiday, it was not seen by Aguirre until Wednesday, July 5, after the 9 a.m. hearing was conducted and the ruling finalized. Aguirre's ex-wife, Kathy Jones-Raya was given no notification of the hearing to unseal the private court records.

"The Union-Tribune has exposed a glaring lack of journalistic integrity by not ensuring that my ex-wife and I were made aware of the newspaper's request for a hearing on this matter," said Aguirre. "A simple phone call to my office would have demonstrated good faith. They knew I was just down the hall in another courtroom arguing the pension case at the time they set the hearing."

As a result of City Attorney Aguirre's objections, represented by his attorney Mark Mazzarella, the documents were resealed on July 6 and the ruling to unseal was rescinded today, pending a further hearing.

Attorney Guylyn Cummins works for the law firm of Shephard Mullin Richter & Hampton, the same law firm that is representing City Council President Scott Peters and former Mayor Dick Murphy related to an investigation of their actions in 2002 to increase employee pension benefits in exchange for being allowed to underfund the pension system.

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